

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

STEVEN BIVENS,

Plaintiff,

v.

SELECT PORTFOLIO SERVICING,
INC.,

Defendant.

CIVIL ACTION FILE

NO. 1:17-CV-760-WSD-WEJ

ORDER

This matter is before the Court on Defendant Select Portfolio Servicing, Inc.'s Motion to Reassign Case [10].

Defendant asks to have this case reassigned to the Honorable District Judge Eleanor L. Ross and the Honorable Magistrate Judge John K. Larkins, III, because it is related to another case pending before them, Bivens v. Select Portfolio Servicing, Inc., 1:15-CV-4325-ELR-JKL (filed on December 14, 2015) (hereinafter “Bivens I”). (See Def.’s Br. [10-1].) In both cases, plaintiff alleges that defendant, as the servicer of his mortgage loans, failed to satisfy its obligations under the Real Estate Settlement Procedures Act (“RESPA”). (Compare Compl. [1], with Compl., Biven I.) In the instant case, plaintiff takes

issue with, inter alia, defendant's response to an alleged qualified written requested dated June 30, 2016, he also contends that defendant has engaged in a pattern or practice of failing to comply with RESPA and cites its response to his March 2015 qualified written request, which is the subject of Bivens I, 1:15-CV-4325-ELR-JKL. (Compare Compl. [1], with Compl., Biven I.)

As a matter of standard operating procedure, the Clerk assigns such related cases to the same judge. Thus, in the interest of uniformity and judicial economy, the Court **GRANTS** the Motion to Reassign Case [10], and **DIRECTS** the Clerk to reassign this case to Judges Ross and Larkins.

SO ORDERED, this the 2nd day of May, 2017.



WALTER E. JOHNSON
UNITED STATES MAGISTRATE JUDGE